

Permittee Olin Water Services
Olin Corporation
305 Sunshine Road
Kansas City, Kansas 66115

I.D. Number KSD000203638
Permit Number KSD000203638

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC §6901 et seq., commonly known as RCRA) and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) (codified and to be codified in Title 40 of the Code of Federal Regulations), a permit is issued to Olin Water Services - Olin Corporation (hereafter called the Permittee), to operate a hazardous waste storage facility located in Kansas City, Kansas, at latitude 39°08'47" and longitude 94°36'58". The Permittee must comply with all terms and conditions of this permit.

This permit consists of the conditions contained herein (including those in any attachments) and the applicable regulations contained in 40 CFR Parts 260 through 264 and 270 and 124 as specified in the permit (Attachment VII). Applicable regulations are those which are in effect on the date of issuance of this permit. (See 40 CFR §270.32(c))

This permit is based on the assumption that the information submitted in the permit application received on March 14, 1983, as modified by subsequent amendments and letters dated July 19, 1983, April 30, 1984, June 25, 1984, August 8, 1984, and September 13, 1984 (hereafter referred to as the application) is accurate and that the facility will be operated as specified in the application. Any inaccuracies found in this information may be grounds for the termination or modification of this permit (see 40 CFR §270.41, §270.42 and §270.43) and potential enforcement action. The Permittee must inform EPA of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This permit shall become effective at midnight on _____, _____, and shall remain in effect until _____, _____, unless revoked and reissued, or terminated (40 CFR §270.41 and 270.43) or continued in accordance with §270.51(a).

DRAFT

David A. Wagoner Date
Director, Air and Waste Management Division



R00011162
RCRA Records Center

SECTION I

STANDARD CONDITIONS

A. EFFECT OF PERMIT

The Olin Water Services, Olin Corporation, hereafter referred to as the Permittee, is allowed to store hazardous waste in accordance with the conditions of this permit. Any storage of hazardous waste not authorized in this permit is prohibited. Compliance with this permit constitutes compliance, for purposes of enforcement, with Subtitle C of the Resource Conservation and Recovery Act (RCRA). Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3013 or Section 7003 of RCRA, Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9606 (a), commonly known as CERCLA), or any other law providing for protection of public health or the environment.

B. PERMIT ACTIONS (40 CFR 270.30(f))

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 270.41, 270.42, and 270.43. The filing of a request for a permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply (40 CFR 270.30(a)) The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

2. Duty to Reapply (40 CFR 270.30(b) and 270.10(h)) If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee shall submit a complete application for a new permit at least 180 days before this permit expires, unless permission for a later submission date has been granted.
3. Permit Expiration (40 CFR 270.51) This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 40 CFR 270.13 through 270.29) and through no fault of the Permittee the Regional Administrator has not issued a new permit as set forth in 40 CFR 270.51.
4. Need to Halt or Reduce Activity Not a Defense (40 CFR 270.30(c)) It shall not be a defense for the Permittee in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
5. Duty to Mitigate (40 CFR 270.30(d)) In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.
6. Proper Operation and Maintenance (40 CFR 270.30(e)) The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
7. Duty to Provide Information (40 CFR 270.30(h)) The Permittee shall furnish to the Regional Administrator, within a reasonable time, any relevant information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.
8. Inspection and Entry (40 CFR 270.30(i)) The Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- (a) Enter at reasonable times upon the Permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

9. Monitoring and Records (40 CFR 270.30(j))

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261.

Laboratory methods are specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846 (July 1982). These analytical methods or an equivalent may be utilized for monitoring purposes.

- (b) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or record. These periods may be extended by request of the Regional Administrator at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.
- (c) Records of monitoring information shall specify:
 - (i) The dates, exact place, and times of sampling or measurements;
 - (ii) The individuals who performed the sampling or measurements;
 - (iii) The dates analyses were performed;
 - (iv) The individuals who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.

10. Reporting Planned Changes (40 CFR 270.30(1)(1)) The Permittee shall give notice to the Regional Administrator as soon as possible of any planned physical alterations or additions to the permitted facility.

The replacement of worn or broken parts need not be reported as long as replacement is with an equivalent component which does not adversely affect the designed operating procedures or performance of the facility.

11. Anticipated Noncompliance (40 CFR 270.30(1)(2)) The Permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
12. Transfer of Permits (40 CFR 270.30(1)(3) and 264.12(c) and 270.40)) This permit is not transferable to any person except after notice to the Regional Administrator. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR 270.41(b)(2) or 270.42(d). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270.
13. Compliance Schedules (40 CFR 270.30(1)(5)) Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
14. Twenty-four Hour Reporting (40 CFR 270.30(1)(6)) The Permittee shall report any noncompliance which may endanger health or the environment orally within 24 hours from the time the Permittee becomes aware of the circumstances, including:
- (a) Information concerning the release of any hazardous waste which may endanger public drinking water supplies.
 - (b) Information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility, which could threaten the environment or human health outside the facility.
 - (c) The description of the occurrence and its cause shall include:
 - (i) Name, address, and telephone number of the owner or operator;
 - (ii) Name, address, and telephone number of the facility;
 - (iii) Date, time, and type of incident;

- (iv) Name and quantity of materials involved;
 - (v) The extent of injuries, if any;
 - (vi) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
 - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
- (d) A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee need not comply with the five day written notice requirement if the Regional Administrator waives the requirement and the Permittee submits a written report within fifteen days of the time the Permittee becomes aware of the circumstances.

15. Other Noncompliance (40 CFR 270.30(1)(10)) The Permittee shall report all other instances of noncompliance not otherwise required to be reported above, at the time monitoring reports, as required by this permit, are submitted. The reports shall contain the information listed in the condition "Twenty-four Hour Reporting" of this section.

16. Other Information (40 CFR 270.30(1)(11)) Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Regional Administrator, the Permittee shall promptly submit such facts or information.

E. SIGNATORY REQUIREMENTS (40 CFR 270.11)

All reports or other information requested by the Regional Administrator shall be signed and certified as required by 40 CFR 270.11.

F. CONFIDENTIAL INFORMATION (40 CFR 270.12)

The Permittee may claim confidentiality for any information required to be submitted by this permit in accordance with 40 CFR 270.12.

G. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE

The Permittee shall maintain at the facility the following documents and amendments, revisions and modifications to these documents as specified by the regulations cited below:

1. Waste Analysis Plan as required by 40 CFR 264.13 and this permit.
2. Personnel training documents and records as required by 40 CFR 264.16(d) and (e) and this permit.
3. Contingency Plan as required by 40 CFR 264.53(a) and this permit.
4. Closure Plan as required by 40 CFR 264.112(a) and this permit.
5. Cost estimate for facility closure as required by 40 CFR 264.142(d) and this permit.
6. Operating record as required by 40 CFR 264.73 and this permit.
7. Inspection schedules as required by 40 CFR 264.15(b) and this permit.

H. AVAILABILITY, RETENTION AND DISPOSITION OF RECORDS (40 CFR 264.74)

1. The Permittee must furnish all required records, including plans, upon request and will make those records available at all reasonable times for inspection, by any officer, employee or representative of EPA who is duly designated by the Administrator.
2. Unless otherwise specified, all records and/or copies thereof required to be maintained by the terms of this permit will be kept on-site for at least three years.
3. The retention period for all required records is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the Regional Administrator.

SECTION II

GENERAL FACILITY CONDITIONS

A. DESIGN AND OPERATION OF FACILITY (40 CFR 264.31)

The Permittee shall design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. This includes adherence to operating conditions and procedures, and emergency shutdown procedures specified in the permit application and in this permit.

B. REQUIRED NOTICE (40 CFR 264.12)

Before transferring ownership or operation of a facility during its operating life, or of a disposal facility during the post-closure care period, the owner or operator must notify the Regional Administrator and the new owner or operator. He must also notify the new owner or operator in writing of the requirements of Part 264 and Part 270.

C. GENERAL WASTE ANALYSIS (40 CFR 264.13)

The Permittee shall follow the procedures described in the attached Waste Analysis Plan, Attachment I. Waste analyses shall comply with the requirements of 40 CFR 264.13 and 40 CFR 264.17.

D. SECURITY (40 CFR 264.14)

The Permittee shall comply with the security provisions of 40 CFR 264.14(b) and (c).

1. The Permittee must prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portions of this facility. An artificial or natural barrier which completely surrounds the active portion of the facility and a means to control entry through gates or other entrances to the facility must be maintained at all times.
2. In addition, the Permittee must post signs bearing the legend "Danger - Unauthorized Personnel Keep Out," on each side of the hazardous waste storage facility. This legend must be written in English and must be legible from a distance of at least 25 feet.

3. The Permittee will advise the EPA if unauthorized entry occurred at the facility which caused hazardous waste to be discharged, the nature of problems, if any, that resulted from this occurrence and corrective action taken by the facility to prevent future happenings. This includes any tampering, destruction or loss at the facility which caused release of hazardous waste.

E. GENERAL INSPECTION REQUIREMENTS (40 CFR 264.15)

1. The Permittee must inspect the facility as per the attached Inspection Schedule, Attachment II, for malfunctions and deterioration, operator errors and discharges which may be causing--or may lead to--(1) release of hazardous waste constituents to the environment or (2) a threat to human health.
2. The Permittee must follow the attached written schedule for the inspection of monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards. The Permittee must keep this schedule at the facility.
3. The Permittee must remedy any observed deterioration or malfunction of equipment or structures (such as leaks, cracks, or wall thinning) to ensure that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.
4. The Permittee must record inspections in an inspection log or summary. The log or summary shall be kept for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

F. PERSONNEL TRAINING (40 CFR 264.16)

The Permittee shall conduct personnel training as required by 40 CFR 264.16. This training program shall follow the attached outline, Attachment III. Facility personnel must complete the training program within six months after the date of their employment or assignment to the facility, or assignment to a new position at the facility. Personnel must not work in unsupervised positions until they have completed this training program. Facility personnel must take part in an annual review of the required initial training. The training program shall be directed by a person trained in hazardous waste management procedures. The Permittee shall maintain training documents and records as required by 40 CFR 264.16(d) and (e).

G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE
(40 CFR 264.17)

1. The Permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including, but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions-sunlight), and radiant heat. While ignitable or reactive waste is being handled, the Permittee will confine smoking and open flame to specially designated locations. "No Smoking" signs will be conspicuously placed wherever there is a hazard from ignitable or reactive waste.
2. The Permittee must take precautions to prevent reactions which:
 - (a) Generate extreme heat or pressure, fire or explosions, or violent reactions;
 - (b) Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment;
 - (c) Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;
 - (d) Damage the structural integrity of the device or facility;
 - (e) Through other like means threaten human health or the environment.
3. The Permittee must document compliance with the requirements of 40 CFR 264.17(a) and (b) as outlined in 40 CFR 264.17(c).

H. LOCATION STANDARDS (40 CFR 264.18)

The facility is considered to be located above the 100-year floodplain; thus, no permit conditions are needed with respect to location standards.

I. PREPAREDNESS AND PREVENTION

1. Required Equipment (40 CFR 264.32) The facility shall be equipped with the following:
 - (a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.

- (b) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments or State or local emergency response teams.
 - (c) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.
 - (d) Water at adequate volume and pressure to supply water hose streams or foam producing equipment, or automatic sprinklers or water spray systems.
2. Testing and Maintenance of Equipment (40 CFR 264.33) The Permittee shall test and maintain the equipment specified in the permit condition, "Required Equipment," as necessary to assure its proper operation in time of emergency.
3. Access to Communications or Alarm System (40 CFR 264.34) The Permittee shall maintain access to the communications or alarm system as required by 40 CFR 264.34.
- (a) Whenever hazardous waste is being poured, mixed, or otherwise handled, the Permittee must ensure that all personnel involved in the operation will have immediate access to an internal alarm or emergency communication device, as described in the Part B permit application, either directly or through visual or voice contact with another employee.
 - (b) If there is ever just one employee on the premises while the facility is operating, he must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio capable of summoning external emergency assistance.
4. Required Aisle Space (40 CFR 264.35) At a minimum, the Permittee shall maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of the facility in an emergency situation. Aisle space shall be maintained as shown in Attachment VI.
5. Arrangements with Local Authorities (40 CFR 264.37)
- (a) The Permittee will attempt to make the following arrangements with local authorities.

- (i) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous wastes handled at the facility and associated hazards, places where facility personnel will normally be working, entrances to and roads inside the facility, and possible evacuation routes;
 - (ii) Where more than one police and fire department might respond, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority where there are more than one;
 - (iii) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
 - (iv) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.
- (b) Where State or local authorities decline to enter into such arrangements, the Permittee must document the refusal in the operating record.

J. CONTINGENCY PLAN

1. Implementation of Plan (40 CFR 264.51) The Permittee shall immediately carry out the provisions of the Contingency Plan, Attachment IV, and follow the emergency procedures described by 40 CFR 264.56 whenever there is a fire, explosion, or release of hazardous waste or constituents which threatens or could threaten human health or the environment.
2. Copies of Contingency Plan (40 CFR 264.53) The Permittee must keep a copy of the attached Contingency Plan and all revisions of this plan at the facility, and submit the Contingency Plan and all revisions to all local fire departments, police, hospitals, and State and local emergency response teams that may be called to provide emergency services.
3. Amendment of Contingency Plan (40 CFR 264.54)
 - (a) The Permittee must review, and immediately amend if necessary, the attached Contingency Plan, whenever:
 - (i) the permit is revised;
 - (ii) the plan fails in an emergency;

(iii) the facility changes -- in its design, construction, operation, maintenance, or other circumstances -- in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;

(iv) the list of emergency coordinators changes; or

(v) the list of emergency equipment changes; or

(vi) when any major revision is warranted.

(b) Amendments to the Contingency Plan are subject to the permit modification requirements of 40 CFR 270.41 and 270.42.

4. Emergency Coordinator (40 CFR 264.55) The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator. The Permittee will ensure that at all times there will be at least one employee either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with responsibility for coordinating all emergency response measures. The emergency coordinator must carry out the responsibilities specified in 40 CFR 264.56, and be thoroughly familiar with all aspects of the facility's Contingency Plan, all operations and activities at the facility, and the location layout. In addition, this person must have the authority to commit the resources needed to carry out the attached Contingency Plan.

K. RECORDKEEPING AND REPORTING

1. Operating Record. (40 CFR 264.73) The Permittee must keep a written operating record at the facility. The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

- (a) A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its storage at the facility as required by Appendix I of 40 CFR Part 264.
- (b) The location of each hazardous waste within the facility and the quantity at each location. This information must include cross-references to specific manifest document numbers if the waste was accompanied by a manifest.
- (c) Records and results of waste analyses performed as specified in 40 CFR 264.13 and 264.17.

- (d) Summary reports and details of all incidents that require implementation of the Contingency Plan;
- (e) Records and results of inspections as required by 40 CFR 264.15;
- (f) All closure cost estimates as required by 40 CFR 264.142;

- 2. Biennial Report (40 CFR 264.75 and 270.30(1)(9)) The Permittee shall comply with the biennial report requirements of 40 CFR 264.75.

L. CLOSURE (40 CFR 264, Subpart G)

- 1. Performance Standard (40 CFR 264.111) The Permittee shall close the facility as required by 40 CFR 264.111 and in accordance with the Closure Plan, Attachment V.

- 2. Closure Plan (40 CFR 264.112)

- (a) A copy of the approved Closure Plan and all revisions to the Closure Plan must be kept at the facility until closure is completed and certified by the Permittee and by an independent registered professional engineer.
- (b) The Closure Plan may be amended at any time during the active life of the facility (the active life of the facility is that period during which wastes are periodically received). The Permittee must amend the plan whenever changes in operating plans or facility design affect the Closure Plan, or whenever there is a change in the expected year of closure. When the Permittee requests a permit modification to authorize a change in operating plans or facility design, he must request a modification of the Closure Plan at the same time. If a permit modification is not needed to authorize the change in operating plans or facility design, the request for modification of the Closure Plan must be made within 60 days after the change in plans or design occurs.
- (c) Amendments to the Closure Plan are subject to the permit modification requirements of 40 CFR 270.41 and 270.42.

- 3. Notification of Closure (40 CFR 264.112(c)) The Permittee shall notify the Regional Administrator at least 180 days prior to the date he expects to begin closure.

- 4. Time Allowed for Closure (40 CFR 264.113) The Permittee shall treat or remove from the facility site all hazardous wastes within 90 days after receiving the final volume of hazardous wastes and in accordance with the Closure Plan, Attachment V. The Permittee shall complete all closure activities within 180 days after receiving the final volume of hazardous wastes and in accordance with the Closure Plan.

5. Disposal or Decontamination of Equipment (40 CFR 264.114) The Permittee shall decontaminate and/or dispose of all facility equipment as required by 40 CFR 264.114 and the Closure Plan, Attachment V.
6. Certification of Closure (40 CFR 264.115) When closure is completed, the Permittee must submit to the Regional Administrator certification both by the Permittee and by an independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved Closure Plan.

M. COST ESTIMATE FOR FACILITY CLOSURE (40 CFR 264.142)

The Permittee's closure cost estimate, prepared in accordance with 40 CFR 264.142(a), is specified in Attachment V.

1. The Permittee must adjust the closure cost estimate for inflation within 30 days after each anniversary of the date on which the first closure cost estimate was prepared, in the manner required by 40 CFR 264.142(b).

The annual inflation adjustment of the closure cost estimate is not subject to the permit modification requirements of 40 CFR Part 270.

2. The Permittee must revise the closure cost estimate whenever there is a change in the facility's Closure Plan as required by 40 CFR 264.142(c).

This type of revision is subject to the permit modification requirements of 40 CFR 270.41 and 270.42.

3. The Permittee must keep at the facility the latest adjusted closure cost estimate as required by 40 CFR 264.142(d).

N. FINANCIAL ASSURANCE FOR FACILITY CLOSURE (40 CFR 264.143)

The Permittee must demonstrate continuous compliance with 40 CFR 264.143 by providing documentation of financial assurance, as required by 40 CFR 264.149 and 264.151, in at least the amount of the cost estimates required by the permit condition, "Cost Estimate for Facility Closure." Changes in financial assurance mechanisms must be approved by the Regional Administrator pursuant to 40 CFR 264.143.

O. LIABILITY REQUIREMENTS (40 CFR 264.147)

The Permittee shall demonstrate continuous compliance with the requirements of 40 CFR 264.147 and the documentation requirements of 40 CFR 264.149 and 264.151, including the requirements to have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

P. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS
(40 CFR 264.148)

-The Permittee shall comply with 40 CFR 264.148 whenever necessary.

SECTION III

STORAGE IN CONTAINERS

A. WASTE IDENTIFICATION

1. The Permittee may store only the following hazardous wastes in containers at the facility, subject to the terms of this permit:

<u>EPA HAZARDOUS WASTE NUMBER</u>	<u>DESCRIPTION</u>
D001	A solid waste that exhibits the characteristic of ignitability, but is not listed as a hazardous waste in 40 CFR Part 261, Subpart D.
D002	A solid waste that exhibits the characteristic of corrosivity, but is not listed as a hazardous waste in 40 CFR Part 261, Subpart D.
D003	A solid waste that exhibits the characteristic of reactivity, but is not listed as a hazardous waste in 40 CFR Part 261, Subpart D.
D007	A solid waste that exhibits the characteristic of EP Toxicity, if using the test method in 40 CFR Part 261, Appendix II, the extract from a representative sample of the waste contains chromium at a concentration greater than or equal to 5.0 milligrams/liter, and is not listed as a hazardous waste in 40 CFR Part 261, Subpart D.
U031	n-Butyl alcohol
U070	o-Dichlorobenzene
U114	Ethylenebis(dithiocarbamic acid) 1,2-Ethanedithiolbiscarbamodithioic acid
U133	Hydrazine
U242	phenol, pentachloro

2. The hazardous wastes identified above shall be stored in a maximum of 200 fifty-five (55) gallon drums meeting the U.S. Department of Transportation specifications. The drums of hazardous waste shall be stored in the hazardous waste storage building or area.

B. CONTAINER STORAGE AND CONTAINMENT SYSTEM

1. Condition of Containers (40 CFR 264.171) If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this permit.
2. Compatibility of Waste with Containers (40 CFR 264.172) The Permittee must use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.
3. Management of Containers (40 CFR 264.173) The Permittee must always manage containers such that:
 - a. A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
 - b. A container holding hazardous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.
4. Special Requirements for Ignitable or Reactive Waste (40 CFR 264.176)

The Permittee shall not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the facility's property line on the north and east sides of the hazardous waste storage area. The southern and western sides of the hazardous waste storage area are less than 15 meters (50 feet) from the facility's property line.
5. Special Requirements for Incompatible Wastes (40 CFR 264.177) The Permittee shall store incompatible waste in containers in accordance with the following:
 - (a) Incompatible wastes, or incompatible wastes and materials must not be placed in the same container, unless 40 CFR 264.17(b) is complied with.
 - (b) Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material.
 - (c) A storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.
6. Inspections. (40 CFR 264.174) At least weekly, the Permittee must inspect the hazardous waste storage building looking for leaking containers and for deterioration of containers and the containment system as specified in Attachment II.

7. Containment System. (40 CFR 264.175) The Permittee shall construct, operate, and maintain the containment system as specified in the plans, procedures, and schedule in Attachment VI, and in accordance with the following:
- (a) The base must be free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated precipitation until the collected material is removed.
 - (b) The containment system must be designed, constructed, and operated to drain and remove liquids resulting from leaks, spills, or precipitation unless the containers are elevated or otherwise protected from contact with accumulated liquids.
 - (c) The containment system must have sufficient capacity to contain 10 percent of the volume of containers or the volume of the largest container, whichever is greater, plus precipitation. Run-on into the containment system must be prevented.
 - (d) The collection system must have sufficient excess capacity, in addition to that required in III.B.7.(c) above, to contain any run-on which might enter the system, unless run-on into the containment system is somehow prevented.
 - (e) Spilled or leaked waste and precipitation accumulated in the sump must be pumped into containers in as timely a manner as necessary to prevent overflow of the collection system and contact of containers with accumulated liquid.
 - (f) Any material removed from the collection system must be sampled and analyzed as either unknown aqueous or unknown non-aqueous liquids in accordance with the Waste Analysis Plan, Attachment I.
8. Schedule of Compliance (40 CFR 270.33) The Permittee shall construct the containment system described in Attachment VI according to the following schedule:

<u>Action Item</u>	<u>Date of Completion</u> <u>(from final permit issuance)</u>
Solicit bids from outside contractors based on specifications of approved design drawings	1 week
Obtain capital funding from Olin Corporate parent	8 weeks
Award construction contract	10 weeks
Begin construction	11 weeks
Contact KDHE inspector	16 weeks
Construction complete with waste storage area operational	17 weeks

ATTACHMENTS

<u>NUMBER</u>	<u>DESCRIPTION</u>
Attachment I	Waste Analysis Plan
Attachment II	Inspection Schedule
Attachment III	Personnel Training Program
Attachment IV	Contingency Plan
Attachment V	Closure Plan and Cost Estimate
Attachment VI	Container Storage Area Specifications and Operating Procedures
Attachment VII	Regulations
Attachment VIII	<u>Federal Register</u> , September 1, 1983